WAS NOT ALLOWED TO PLEAD GUILTY.

Murderer Rose Arraigned in Court This Morning-Soren X. Chris tensen Appointed to Defend.

HE ASKED THE COURT FOR HELP

Accordingly Atty. D. N. Straup Was Also Named as Counsel for Defense-Fuller in Court.

Although apparently ready and anxlous to enter a plea of guilty to the charge of murdering his wife, Frank Rose was this morning denied that privilege by Judge Stewart, in the criminal division of the district court, when he was arraigned upon the charge of murder in the first degree. The court refused to permit Rose to enter any plea, whatever, to the information, owing to the gravity of the offense, until an attorney had been appointed and had had an opportunity to consult with

Rose said that he did not want an attorney, but the court was of a different opinion and appointed Attorneys Soren X. Christensen and D. N. Staup to defend the man. On next Monday morning at 10 o'clock Rose will again appear in court and will enter a plea to the charge. He, in company with five other prisoners, was brought into court this morning by Deputy Sheriffs Cowan, Sharp and Butler. Rose was hand-cuffed to Thomas R. Fuller, who is charged with criminal assault. were the first of the prisoners to enter the room. After the handcuffs were removed Rose took a seat on the prison-ers' bench beside Fuller, where he sat during the proceedings in a very calm and indifferent manner. He wore a pair of brown overalls, a black and white shirt, a dark coat and vest and a dark

There were only a few spectators in the courtroom during the arraignments. They were all anxious to get a close view of Rose and when he was led out of the courtroom they crowded around him as close as the officers would pernit and followed him to the elevator.

ATTORNEYS APPOINTED.

Owing to the fact that Judge Morse had not returned from Kanas, Judge Stewart was called in to arraign the prisoners. When Rose's case was called by Dist. Atty. Eichnor, the defendant arose and walked to the bar of the court where he stood, with both hands in his overcoat pockets, and listened to the reading of the information by

Clerk Buckwalter.

"Have you an attorney to represent you?" asked Judge Stewart.

"No, sir," was the quick response.

"Do you desire an attorney?"

"No sir, I don't want one."

'No sir, I don't want one. The information charging him with on Dec. 25, was then read to him. gazed straight in the face of the clerk while the information was being read to him. At its conclusion, Dist. Atty. Eichnor suggested that, owing to the gravity of the charge, the court should appoint an attorney to defend Rose before he was permitted the enter a plea. Judge Stewart compiled with the suggestion and appointed Soren X. Christensen as attorney for defendant. Mr. Christensen stated that he did not like to shirk a duty imposed upon him by the court, but that he would rather have some assistance in the case. He suggested that D. N. Straup be appointed to assist him. The court then appointed Mr. Straup, and ordered that Rose appear Monday morning at 10 o'clock to enter his plea.

THOMAS FULLER ARRAIGNED

Thomas R. Fuller, charged with a criminal assault upon Miss Edith Gill on the night of Dec. 13, was arraigned and was given until Monday to plead. Fuller was dressed in his uniform and attracted attention by reason of his military bearing. He stated that he expected to get some money from his home to employ an attorney, but that if it did not come he would be unable to employ one. He was given until Monday to secure an attorney and to enter his plea, although he seemed willing to plead to the charge today. CHARGED WITH BURGLARY.

Thomas Burns was arraigned on the

charge of burglary and was given until Monday to plead. He is charged with burglarizing the saloon of S. T. Stans-bury at 50 west First South street, on the night of Dec. 23. NEGRO HOUSEBREAKER.

Bud Holman, a negro, was arraigned

upon the charge of housebreaking and was given until Monday to plead. He is charged with breaking into the house Cruickshank, 74 Third street, on

ENGLER FOR FORGERY: H. W. Engler was arraigned on the

charges of forgery and uttering a forged instrument. The court appoint-ed Will F. Wanless as attorney for defendant, and gave him until Monday to plead. Engler is charged with forging the name of F. H. Wilburn to a check of the Columbia Consolidated Mining company, and with passing the same on the Miners' Mercantile com-pany at Bingham. The amount of the check was \$43. The cirme was committed on Dec. 18,

BOY GETS THREE MONTHS.

Fred L. Berger, a boy 17 years of age, entered a plea of guilty to petit larceny and was sentenced by Judge Stew-art to three months in the county jail. He was charged with burglary and petit larceny, but, owing to his age, was allowed to plead guilty to petit larceny. He burglarized the Elgin grocery store at 144 east Second South street, on Christmas night, and stole 45 cents in

WANTS \$50,000.

Charles I Parke Brings Suit Agyinst Aja

For Personal Damages. Charles I. Parke has brought suit in the United States court against the Ajax Mining company for \$50,000 damages alleged to have been sustained in an accident while the plaintiff was employed in the Ajax mine. A huge over-hanging rock fell and struck the plaintiff in such a way that he is permanently injured.

Pitcher Case Dismissed.

A stipulation dismissing the action A stipulation dismissing the action brought by Charlotte J. Pitcher against Frederick W. Pitcher for separate maintenance was filed in the district court today and the case was accorddismissed. Mrs. Pitcher sought to secure \$500 per month as separate maintenance on the ground of failure to support and also \$2,000 as attorney's fees. An attempt was made to compromise the case some time ago but it was unsuccessful so the case was set for hearing by Judge Hall during

Get My Book, if Sick. Don't Send a Penny.

Don't send a penny.

Just wait till you see what I can dol

Let me take the risk. Let me prove up

rst what Dr. Shoop's Restorative can

o. The Restorative wil gain your

iendship, your endorsement, if you test

And for a whole month you can use

without the slightest risk,

I will tell you of a druggist near you

ho will furnish six bottles of

Dr. Shoop's Restorative

A Month on Trial.

A Month on Trial.

I will absolutely stand all the cost if it fails. If you say, "It did not help me," that ends it as far as cost to you is concerned. Do you understand me? I am telling it as plainly, as clearly as I can. I want you to know absolutely and without doubt that this offer is made on honer. I have the prescription that cures. My only problem is to convince you that Dr. Shoop's Restorative will cure—is an uncommon remedy. A common remedy could not stand a test like this. It would bankrupt the physician making the offer. And I am succeeding everywhere. Thousands are accepting my offer and only one in each forty writes me that my remedy failed. Just think of it? 30 out of 40 get well and these are difficult cases, too. And the fortieth has nothing to pay. That is a record I am proud of. It is wrong to stay sick when a chance like this is open. If well you should tell others who are sick, of my offer. Don't let a sick friend stay sick because he knows not of my offer. Tell him. Get my book for him. Do your duty. You may be sick yourself, some time. Sick people need help. They appreciate sympathy and aid. Tell me of some sick friend. Let me cure him. Then he will show to both of us his gratitude. Your reward will be his gratitude. Send for the book now.

Do not delay.

Book 1 on Dyspep-Book 2 on the Heart. Simply state which book you want and Book 3 on the Kid-address Dr. Shoop, neys, Box 8713, Racine, Book 4 for Women,

neys. Book 4 for Women. Book 5 for Men (sealed.) Book 6 on Rheu-matism.

Mild cases, not chronic, are often cured with one or two bottles, At druggists. the January term of court. Now that it has finally been settled it will be stricken from the calendar.

WANT MONEY BACK. Promoters of Electric Road Sue Salt Lake City for Deposit.

P. Steffey, Milando Pratt and F M. Lyman, Jr., have filed suit in the city court against Salt Lake City to recover the \$200 deposited by them with their petition to the council for a fran-chise for an electric road on certain streets of the city. It is alleged in the complaint that plaintiffs petitioned for the franchise on Aug. 22, 1903, and deposited the sum of \$200 as compensation, considering and discourse for considering and discourse for the considering and the considering and the constant and tion for considering and disposing of the application. The city council has taken no action upon the matter and has refused to consider it. Plaintiffs, on Oct. 9, 1903, demanded the return of their money which was refused and they now ask judgment for that amount together with interest from the date of the demand.

STILL ANOTHER SUIT. F. E. Flattery Brings Action Against City To Recover Franchise Deposit.

Salt Lake Cits was made defend-ant in a suit filed in the district court today by F. E. Flattery to recover \$200 which plaintiff deposited with his petition to the city council for a fran-chise for an electric railway through the city. Plaintiff alleges that the council refused to consider his petition until he had deposited the above amount and thate on Feb. 11, 1992, the deposit was made. Later the council denied the petition for the franchise but refused to return the money. Plaintiff claims that the ordinance requiring a deposit to be made with every position for a franchise, is filegal and void for the reason that the council has no right to pass an ordinance requiring the payment of money as a condition precedent to the performance of its official duty. Judgment is asked, therefore, for \$200, with interest from Feb. 11, 1902.

Suit on Old Judgment.

The State Bank of Utah this afternoon filed suit in the district court against E. M. Weiler, W. S. Burton, and W. C. Burton, to recover \$9,545.25, alleged to be due on a judgment obtained against the defendant in the Third district court on Feb. 14, 1896.

MRS. DOOLEY'S WILL.

Deceased Leaves an Estate Valued at About \$16,000 to Relatives.

The will of Clara Z. Dooley, deceased, who died in this city on Dec. 31, 1903, has been filed for porbate in the district court, together with the petition of George Jay Gibson asking that letters testamentary be issued to him as provided in the will. The estate consists of real estate valued at \$2,832 notes and mortgages valued at \$4,150 and cash in bank amounting to \$9,000, a total of about \$15,982. Her aunt, Mrs. Lizzle M. Warren, and the brothers and sisters of testator are the beneficiaries named in the will. A strange coincidence in connection with this case is that Mrs. Dooley passed away only a few days after the settlement of her deceased husband's estate in the probate court here.

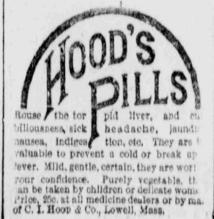
· THE CITY'S HEALTH.

Commissioner Stewart Attributes Conditions to Department's Effective Work.

City Physician Stewart today filed his annual report with Mayor Morris, in which he reviewed at length the work of the health department during his incumbency. During the time he has been in office the report states that he has twice rid the city of smallpox and there would have been none of that disease in the city today had it not been for cases coming in from the outside. The condition of the city in regard to smallpox is due to careful enforcement of the quarantine regulations and the efficient work of the department in that respect.

In regard to the typhoid fever epidemo in the city he states there is no doubt but that the cause thereof was impure water, and the physician recom. ter for domestic purposes be prohibit-

The expenses of the health department for the year, including salaries, amounted to \$21,879.83. This does not include the expenses of the crematory isolation hospital, the of these two departments being over \$12,000. The expenses of the health department for the year 1902 were only \$15,701.17.



A COINCIDENT; NOTHING MORE.

Before Perry Heath 'Came Home' The Last Time and When He Went Away Ditto.

WANTED IN TWO BIC CASES.

One of These Was the Outgrowth of Method in His Friend Beaver's Office -The Other Was Not.

There are a good many prominent Salt Lakers who cannot understand how it happened that the Hon. Perry S. Heath "came home" so suddenly the other evening after the most diligent search had been made for him by the officers of the federal government for 10 days or more previous. Particularly are they mystified over the fact that his whereabouts seemed to be endrely unknown to his newspapers and at his home and usual haunts. At none of these was one word ever said during the search about him being in Denver. He might have been in Cuba, Yellowstone Park or Manila, but none of his employes know. They were in the densest ignorance. But like the public they were enlightened the night of the appearance of the "News" article. Mr. Heath came home from Denver and the following morning presented himself at the office of the United States marshal, only to ascertain officially that he was wanted as a witness in Brooklyn, and that owing to the fact that he could not be located, the papers had been returned with "no ser-vice" marked upon them.

It is a singular and impressive fact that these papers were calculated to cause his appearance in court as a witness in a case arising out of the salaries and allowance department of which his friend Beavers had charge

under his direction. But there is another coincidence that is causing a lot of talk; and that is the second set of papers that came for Mr. Heath, and which, by the way, were served upon him. These required him as a witness in one of the Machen cases in the free delivery department. cases in the free delivery department and cannot result in extracting from him the testimony that would necessar-

And thus Mr. Heath was cited to Washington instead of to Brooklyn.

ORDINANCES INVALID.

Suits Filed-Knitting Factories Consol idate-Workman Injured.

(Special to the "News.") Weber Co., Jan. 8.—This Judge Rolapp handed morning down a decision declaring invalid and of none effect the Revised City Ordi-nances of 1894, from the fact that the same had never been published, and that the original ordinances as passed by the council at that time cannot be The decision was rendered during the hearing of the case of Joseph Hart vs the Union Pacific, a suit for 37,500 damages for personal injuries received through being crushed by one of defendant's cars. After the prosecu-tion had presented all its testimony, the court non-suited the case, holding that there was an insufficiency of evidence to convict, and that the city ordinances referred to were not in

SUITS FILED.

The Union Savings and Investment company has filed an action in the dis-trict court against W. J. and Cather-ine Tanner, for the foreclosure of a mortgage given on certain property purchased by defendants from plaintiff. The mortgage is valued at \$700, for which amount they ask judgment; also for \$229.15 as interest and part of the principal.
Nicholas Smith has filed suit against

the Oregon Short Line Railroad company to recover judgment in the sum of \$2,000 and \$500 special damages. The omplaint alleges that defendant seized upon certain lands valued in the sum named without permission, by running its tracks in and upon said property. The tract in dispute is located in sections 20 and 29, west of Ogden.

BUSINESS CONSOLIDATION.

The Home Knitting Factory company and the Ogden Knitting Factory company have consolidated, the consolidation going into effect today. The comficers this afternoon. The Home has been doing business in the Parry building on Twenty-third street, while the Ogden had its factory in the Washington house on Washington avenue.

BADLY BRUISED.

John G. Ellis had a narrow escape from serious injury this morning, while working on the skylight of the Tele-phone building. The accident was caused through the glass breaking, precipitating him into the office below, a disof 15 feet. He was quite badly bruised but no bones were broken.

Ward Entertainments.

14 and 15, the Nineteenth ward Sunday school will present the pretty operetta, "Florinda," in the ward meetinghouse. There are 20 voices in the chorus and eight leading parts, and the solos are said to be quite catchy. The proceeds of the operetta will be used to help build an addition to the meetinghouse On Friday evening the ward dramatic club will give in connection with the operatta the laughable farce, "A Family Affair." which made so many people laugh a few weeks ago. Sam-uel D. Winter is musical director of the operetta and Alvin A. Beesley and Lydie Willis are accompanists.

FREE MUSICALE.

Tomorrow (Sat.) evening at 8:15, the Clayton Music Co.'s free musicale occurs with Miss Gray, planist, and Miss Allen, violiniste: Public invited.

SHOCKING CASE.

Messenger Boys Arrested by Police in Nevada Rooming House.

A most shocking case of depravity was discovered this afternoon at the Nevada roominghouse on east Second South street by Officer Frank Lincoln. Occupying one room in the foul joint, he found two messenger boys, Toney, Hagen, aged 20 years, and Fred Schus-ter, aged 21, and two young girls. One of the girls gave the name of Ethel Cummings, the identity of the other the police refuse to divulge. She is only 17 years of age and comes from

Springville. According to her own statement, she expects to become a mother in about a month. The police refuse to divulge her name because they desire to protect her family, who are highly respected where they live. Her father wrote to Chief Lynch a few days ago and told that official that his daughter was in Salt Lake and asked Chief Lynch to look out for her. This afternoon Officer Lincoln received a tip that the girl was at the Nevada roominghouse, and going there he

roominghouse, and going there he found her and her companions in the manner described. They were all placed under arrest, but the girl from Springville will be sent home to her parents. The others were locked up pending a further investigation of the

A GUARANTEED CURE FOR PILES. Itching, Blind, Bleeding or Protruding Piles. Druggists will refund money if PAZO OINTMENT falls to cure in 6 to 14 days.

TO RUN A SHEEP RANCH.

Alma Cunningham has gone to Honolulu in response to a cablegram from his father, who is there new with his new wife. It is understood that Mr. Cunning-ham, Sr., has purchased a sheep ranch on the island, and wants Aima to run it.

D. I. GALLACHER FAILS.

Local Trunk Man Filed Petition in Bankruptcy Today. David I. Gallacher filed a petition in bankruptcy this afternoon, showing liabillties of \$2,272, and assets of \$100. Mr. Gallacher is one of two well known trunk manufacturers bearing the same surname, the other being James I. Gallacher.

GOES BACK TO IDAHO. Governor Wells Honors Requisition

Papers for Return of O. Williams. Gov. Wells today honored the requistion of the governor of Idaho for the retion of the governor of Idano for the re-turn to that state of Oliver Williams, who is wanted at Malad City, Idaho, for grand larceny, Williams was arrested at Brigham City on Dec. 17. Sheriff T. J. Evans, of Oneida county, Idaho, present-ed the requisition papers to Gov. Wells and will leave tonight for Brigham City, and will then take Williams back to Idaho. The man is charged with stealing some horses and wheat about the latter part of October last.

BATTERY RELEASED.

Soldier Boys at Sunnyside Are to Return Home Tonight.

Brigadier-General Cannon stated this morning that the Battery, which is now stationed at Sunnyside, will be reeased from service today and will be ordered home.

RIDEOUT ELECTED CAPTAIN.

The track team of the University of Utah met this afternoon and elected W. L. Rideout captain for the ensuing year. Mr. Rideout was captain of the team two years ago and made an en-viable record. His election again attests his popularity among the athletes of Utah's leading educational institu-

LATE LOCALS. Today's local bank clearings amount-

ed to \$492,384.43 as against \$639,081.58 for the same day last year. Local dry goods men report a better rade since the middle of December than in the seven months previous. The

demand is mostly at present for medium priced goods. The street railway management is varnishing up the open cars and getting them in complete readiness for use when fine weather opens in the

spring. Two more single truck cars will be out and ready for use shortly. Evergreen Lodge of the Fraternal Union of America will give a card party and social in the I. O. O. F. hall on Monday evening next.

The Fifth ward Sunday school will give a dancing party in the ward house tonight.

Grocerymen report the quantity of butter in the local markets as steadily increasing, as cows are beginning to calve; but they aver that through the manipulations of operators, the price will be maintained at a stiff figure as ong as possible.

The mercury fell to 10 degrees above this morning, the lowest of the season n this city, and although there is a high becometeric area over the city the weather office predicts local snows Moderately low temperatures are prevailing through the west.

PERSONALS.

Judge Norrell has again been quite ill at his home in Mississippi, but re-cently received information states that ne is convalescent. Manager W. G. Filer of the Twin

Falls company has gone east on busi-

Mrs. Harry D. Gue of Brooklyn N. Y., arrives from the east tomorrow, to visit in this city for a few weeks with the family of her brother, Harry Shearman.

Judge Colborn has returned from an extended visit in Kansas and the middle east. He reports the sunflower state as taking a bath in worldly pros-It produced this last year \$75,000,000 worth of wheat, and in one town where the judge visited, not only were the granaries check full, but carriage houses, barns and even bed rooms were being utilized for storage, while mmense quantities were piled up outside on the ground for lack of cover. A rallroad man told the visitor that it 150 cars a day were furnished to carry off the Kansas wheat, it would require until next harvest to move all of last year's crop. Kansas banks are well loaded with money, and farmers are buying planes, talking of sending their children all to college, and taking a tour around the world themselves.

PHILIPPINES.

Some Items of Interest Regarding People Who Formerly Resided In This State.

BOYS FROM THE BEEHIVE STATE

Are Making a Name For Themselves in The Service of Their Country.

The following items of interest have been received at the "News" office from

a soldier in the Philippines: Capt. Briant H. Wells, the governor's brother, is with the Twenty-ninth infantry at Camp Jossman, Panay. He is quartermaster of his regiment and has had the responsibility of supervising the vast amount of construction work that has been done at his post, which is near Iloilo.

First Lieut. Gordon Kimball of the Twelfth cavalry is at Batongas on Luzon. The young Ogdenite, son of a gallant soldier, is very popular with his

Second Lieut, Cyrus Telford of the '03 class at West Point surprised all of his friends when he chose to enter the his friends when he chose to enter the cavalry branch of the service. His standing in his class was such as to entitle him to a place with the engineers, but he preferred to be with the fighting men. He is at Camp Jossman. Dr. Walter Fraser and his talented wife have won a home for themselves with the Thirteenth cavalry on Luzon. This climate is as hard on American. This climate is as hard on American horses as it is on American troops and the veterinary is a very busy man. The Philippines will make a splendid educational exhibit at St. Louis. Prof. A. R. Hager, formerly of the Salt Lake High school, is superintendent of the exhibit, having collected the materials, and will accompany them to the exhibit.

and will accompany them to the expo-

In Spanish times there were only 1 postoffices in the whole archipelago; now there are 250 and Mr. C. I. Cotterman, who was stationed at Ogden for many years, as postoffice inspector, is director of post, which means post-master general for the Philippines. At the department of justice for the Philippines, Jacob Schulthess, son of former Parkkeeper Schulthess, has a very responsible position. His promo-tion has been rapid. Mrs. Schulthess and son are now on a visit to Europe.

Carl Hard gathered much of the evidence against the notorious Dr. Gomez. who is now under trial. It looks as though Gomez must spend some time in Bilibid, where he will be powerless to incite insurrection. As chief of the de-tective bureau the young Salt Laker fills a very trying position, but he has gained an acquaintance with the ways

In commercial affairs at Manila no man stands higher than Harold Pitt His opinion on industrial affairs in the islands is eagerly sought by those who contemplate investing. He frequently centributes strong articles to the local papers, offering suggestions for building up of the provinces.

Chino, that makes him very valuable to

the municipal government.

RUTH CLEVELAND BURIED.

On Request of Physician Mrs. Cleveland Did Not Go to Cemet ry. Princeton, N. J., Jan, S.—The funeral of Ruth Cleveland was held at the family residence this forenoon. The service was orief and simple and was conducted by the Rev. Maitland Bartlett, pastor of the First Presbyterian church. In addition to the family were present. The interment in the Princeton cometery was private and took place immediately after the service. At the request of her physician, Mrs. Cleveland did not go to the cemetery. Among the hundreds of messages of condelence from friends was one from President Roosevelt.

dent Roosevelt. CONDUCTOR NAGEL'S STORY He Had Special Orders to Wait at Valencia.

Topeka, Kan., Jan. 8 .- Conductor Nagel of the Rock Island passenger train, wrecked at Willard, made the following deposition from his bed at the Starmont hospital:

"We had orders to wait for a special stock train at Valencia until 12:38 and to pass another stock train at Willard. We were late and passed through Valencia at 1 a.m., and no stock train was in sight. At Willard we saw a stock train standing on the side track and made no stop. I suppose the engineer made no stop. I suppose the engineer thought that the two trains had beer I could not see the number of the en-

sidetrack on account of the steam and because we were running tast. We were going 50 miles an h I saw the sterels on the train and posed that it was the stock train we to oking for, Engineer Benjamin and I had Engineer Reardon of the stock train testified to the coroner's jury that Nagol had said to him that "Benjamin might well come back from Kansas City and

as well come back from Kansas City and confess."
The body of the eight-year-old boy killed in the Willard wreck is now known to be Walter Reed. His father reached here today from Chillicothe, Mo., and identified the remains.

Mr. Reed is related to Mrs. Susan Reed, Grace Reed and Leonora Reed, other wreck victims.

Sun and Moon Mine Case.

Georgetown, Colo., Jan. 8.-The prose-cution in the trial of 15 union miners charged with conspiracy to destroy the Sun and Moon mine at Idaho Springs, completed its case today and the de-fense announced that it would introduce no testimony. Court adjourned

Business of Salt Lake Postoffice.

The following comparative tables show the business done in the Salt Lake postoffice for the last quarter of the years 1902-2. It will be interesting to note that the sales of stamps, cards, envelopes, etc., for the quarter just closed exceeds those for the same period of the year previous by 34.276.69, the receipts being greater in all lines but that of second class postage, which dropped off \$64.24 in 1903. For the quarter just closed the business of the postoffice amounted to \$52,-168.19, or on a basis of over \$2:0,000 for the year. The tables follow: Receipts for quarter ending Dec. 31,

Receipts for quarter ending Dec. 31 and Envel Second and Envel- Class Cards. opes. Postage 10,064.60 3,459.35 1,110.42 14,062.00 2,872.71 1,329.13 Totals . \$37,898.50|\$10,709.37|\$ 3,560.32 | Total \$35,886,30 \$ 8,420,66 \$ 3,626,56 Total increase ..

Cures a Cold in One Day, Grip in 2 Days G. Th. Livor box. 250

REDUCTION

From regular prices on our excellent line of

Heating Stoves.

This is an extraordinary opportunity to obtain a FIRST CLASS HEATER at a very low price,

H. Dinwoodey Furniture Co.

S

until next Morday when arguments will be heard.

The court overruled motions to instruct the jury to return a verdict of acquittal and to discharge defendants on the ground of insufficient evidence

Dist. Atty. Thurman nolled the cases against two of the defendants.

to connect them with the crime alleged

British Home Fleet London, Jan. 8 .- The British home fleet left Portland today for the Span-ish coast, after coaling to the full ca-pacity. The fleet will thus be in readiness to replace the channel squadron in the event of the latter being required to fill up vacancies in the Med-iterranean squadron, should vessels be ordered thence to the far east.

WILL IGNORE INJUNCTION.

Col. Verdeckberg Will Not Respect Judge Seed's Order.

Judge Seed's Order.

Cripple Creek, Colo., Jan. 8.—Col. Verdeckberg and other military officers held another council of war, as they term their conferences, this morning and decided to ignore the injunction issued by District Judge Seeds, restraining the militia from sending out of the camp any members of the Western Federation of Miners. The military officers have refused to accept service of any paper from the district court.

After the close of the "council of war." Maj. Thomas E. McClelland with a squad of soldiers started out from headquarters to make arrests under Col. Verdeckberg's vagrancy order, which required all strikers to obtain employment or leave the district before Jan. 7. All the placards posted by officers of the miners' union advising members met to abandon their homes have been torn down by soldiers.

VERY DAMAGING TESTIMONY. Powder Used in Rarus Mine for

Other Than Legitimate Purposes Helena, Mont., Jan. 8.—The most damaging testimony yet given tending to fix the responsibility for the explosion in the Michael Davitt mine by which Samuel Olesen and Fred Divel lost their lives, was given at the fifth session of the coroner's jury. Frank McGrath and other witnesses testified that powdershad been used in the Rarus mine for purposes other than legitimate mining and that orders had been given by officers of that mine to blast down the workings to prevent the inspectors working under court orders from coming into the Rarus or allowing Rarus miners to get into the Amalgamated mines. Helena, Mont., Jan. 8 .- The most dam-

RUSSELL SAGE RETIRES. Famous and Familiar Figure Seldom Seen in Wall Street.

New York, Jan. 8.—Wall street practically has lost one of its most interesting characteris. Russell Sage, although still insisting on visiting his office once or twice a week, has departed from his lifelong habit of arriving there daily with clock-like regularity, regardless of weather conditions, and, in fact, is now seen in Wall street at frequent intervals. He has gradually withdrawn from participation in financial affairs only at the solicitations of his friends and Mrs. Sage, but trusted employes who have served him many years still hat alle the loan business on the stock exchange.

Mr. Sage, who is 87 years old, spends most of his time in his new Fifth avenue home, and is said to be in his usual state of health.

The Priscilla Goes Aground.

Newport, R. I., Jan. 8.-While feeling er way in a fog towards her dock in this city, the Fall River line steamer Priscilla, bound from New York for Newport and Fall River, struck bottom today near the Line Rock lighthouse, about one mile from the wharf. The shock was so slight that not one of the 200 passengers on board knew that an accident had occurred. The water tight compartments were closed immediately and there was little to indicate that the ship had not just landed at her dock.

little to indicate that the ship had not just landed at her dock.

The passengers were landed here after daylight by the small sleamer running from Newport to Jamestown, which had put out to assist the Priscilla.

The accident is attributed to dense fog which prevailed and to the inability of the officers to hear the usual harbor fog signais.

As the tide came in during the foremon it was decided to make an attempt to float the Priscilla before high water. Tugs pulled on the steamer and with the aid of her own steam she was floated and proceeded to her dock uninjured.

THE DARIEN ROUTE.

Senator Scott Introduces Resolution for Its Investigation.

Washington, Jan. 8 .- When the senate met today Mr. Scott (W. V.), offered a joint resolution providing for an investi-gation of the Darien canal route. He said that such a waterway would be only 30 miles in length, and that the route had never been carefully investigated by engi-

Mr. Bacon interrupted to ask where the proposed canal was to be located "in view of recent geographical changes in South "It is in the state of Panama," re-marked Mr. Stewart, "about 150 miles from Colombia."

from Colombia."

Mr. Scott said that although he had always believed in a sea level waterway he had hesitated to press the matter because he might be accused of an effort to delay and hinder the construction of a canal, but such was not his purpose. He wanted a canal, but wanted the best one. He asked that the committee on interoceanic cables make an early report upon the resolution he had presented.

BALLANTINE AND MILLER. Acquitted of Charge of Conspiring

To Defraud the Customs. Manila, Jan. 8.-Ballantine and Miller, Manila, Jan. 8.—Baliantine and Miller, charged with conspiracy to defraud the customs by furthering the illegal entry of an exempt class of Chinese, have both been acquitted in the customs court of appeals before Judges Crossfield and Roxas. W. D. Baliantine was an inspector of customs at the time of his arrest for the issuance of alleged fraudulent Chinese certificates and John T. Miller, implicated with him, was a former inspector of immigration

WOOLLEY CASE PASSED UP TO PRESIDENT

secy. Shaw Will Leave it to Him to De elde, Submitting All the Papers-Kearns Wants Irrigation Report Published.

Wants irrigation Report Published.

(Special to the "News.")

Washington, D. C., Jan. 8.—Seey.

Shaw has determined to pass the case of Smith Woolley up to the president for the latter to decide. All the papers pertaining to the case will be taken to the White House tomorrow for the guidance of the president. He will appoint Woolley assayer at Boise or not point Woolley assayer at Boise or not according to the conclusion he may reach after examining the papers. Senator Kearns today presented a resolution in the senate providing for the publication of 4,000 additional copies of

Secy. Bennett of the senate has appointed George Weiler of Satt Lake to a position in his office at a salary of \$2,000, upon the recommendation of Senator Kearns. AFTERNOON ON 'CHANGE. Century Continues Strong-The Sales Of the Late Call.

Century Continued strong this afternoon and was in fair demand in the pit of the mining exchange. The Daly stocks were also active. The sales were: Daly-Judge, 50 at 3.85; 100 at 3.90, seiler 30; 100 at 3.85.

Daly, 100 at 2.50; 100 at 2.60, buyer 60; 100 at 2.524.

100 at 2.32½. Grand Central, 100 at 3.57. Star Con., 100 at 2½. Butler-Liberal, 1,000 at 9½; 1,00 at 40, Century, 100 at 91, seller 60; 100 at 93, buyer 60; 100 at 93; 100 at 93½.

ELKS CONVENE AT PROVO.

The executive committee or the Elks met at Provo yesterday, where it was decided to hold the annual state convention there June 22 and 23, and a set of rules was adopted governing the state organization. The Provo Elks will give a minstrel show and ball next Wednesday night, and many Elks from Salt Lake, Ogden and Park City, will

go down.

NEW YORK CLOSING STOCKS Friday, Jan. 8, 1974. Canadian Pacine
Chicago & Alten
Chicago & Alten Pfd
Chicago & Northwestern
Colorado Southern
Denver & Rio Grande
Denver & Rio Grande Pfd linois Central Manhattan L
Metropolitan St. Ry
Mexican Central
Missouri Pacific
New York Central

Pennsylvania Reading Rock Island Rock Island Pfd Southern Pacific
Southern Railway.
Union Pacific
Union Pacific Wisconsin Central
Amalgamated Copper
American Car & Foundry
American Locomotive
American Smelting & Refining
Am. Smelting & Refining Pfd.
Brooklyn Rapid Transit
Colorado Fuel & Iron
International Paper
National Biscutt
National Lead Northern Securities

Northern Securities

Pacific Mail

People's Gas

Pressed Steel Car

ugar Western Union #w|w|w|w|w|w|w|w|w|w|w|w|w|w|w|w|w|w|-|-|-|-|-|-|-|-|-|-|-|-|-

Pullman Palace Car

BOSTON STOCK MARKET. Closing quotations today as reported by Hudson & Sons Co.,

brokers, were:

Amalgamated ... Daly-West 325% Utah United States ... والمساومة والمساومة

Bid. Asked.

The New York Central Lines have decided to put on fast and luxurious service for the world's fair and trains of the most approved pattern are now being built for this purpose. The train will be called The Louisiana Purchase

DIED.

HUTCHINSON.-At 530 north Third West street, this city, Jan. 7, 1904, of pneu-monia, Susanna R, Hutchinson, daugh-HUTCHINSON.—At 530 north Third West street, this city, Jan. 7, 1904, of pneumonia, Susanna R. Hutchinson, daughter of William and Emma Richardson; born May 28, 1859, in Whitton, Lincoln, England. Deceased came to Sait Lake City five weeks ago from England. Funeral services will be held Sunday, at 12:30 p. m., from the Twenty-second ward meetinghouse. Friends are invited to attend and can view the remains on the day of the funeral from 10 to 12 a. m. Millennial Star, please copy.

STOCKHOLDERS' MEETING.

The regular annual meeting of the stockholders of the Martha Washington Mining Company will be held at the office of the company, room 430 D. F. Walker Block, Sait Lake City, Utah, on Monday, January 18th, 1904, at 10 o'clock a. m. The annual election of officers will be hed and such other business will be transacted as may properly come before the meating.

ALVIRAS E. SNOW, Secy. Dated January 8, 1904.